

1 **BATHAEE DUNNE LLP**

2 Yavar Bathaee (CA 282388)

3 yavar@bathaeedunne.com

4 Andrew C. Wolinsky (CA 345965)

5 awolinsky@bathaeedunne.com

6 445 Park Avenue, 9th Floor

7 New York, NY 10022

8 Tel.: (332) 322-8835

9 Brian J. Dunne (CA 275689)

10 bdunne@bathaeedunne.com

11 Edward M. Grauman (*pro hac vice*)

12 egrauman@bathaeedunne.com

13 901 South MoPac Expressway

14 Barton Oaks Plaza I, Suite 300

15 Austin, TX 78746

16 Tel.: (213) 462-2772

17 *Interim Co-Lead Counsel for the*

18 *Advertiser Classes*

19 **SCOTT+SCOTT ATTORNEYS AT LAW LLP**

20 Amanda F. Lawrence (*pro hac vice*)

21 alawrence@scott-scott.com

22 Patrick J. McGahan (*pro hac vice*)

23 pmcgahan@scott-scott.com

24 Michael P. Srodoski (*pro hac vice*)

25 msrodoski@scott-scott.com

26 156 South Main Street, P.O. Box 192

27 Colchester, CT 06415

28 Tel.: (860) 537-5537

29 Patrick J. Coughlin (CA 111070)

30 pcoughlin@scott-scott.com

31 Carmen A. Medici (CA 248417)

32 cmedici@scott-scott.com

33 Hal D. Cunningham (CA 243048)

34 hcunningham@scott-scott.com

35 Daniel J. Brockwell (CA 335983)

36 dbrockwell@scott-scott.com

37 600 W. Broadway, Suite 3300

38 San Diego, CA 92101

39 Tel.: (619) 233-4565

40 **UNITED STATES DISTRICT COURT**

41 **NORTHERN DISTRICT OF CALIFORNIA**

42 **SAN FRANCISCO DIVISION**

43 MAXIMILIAN KLEIN, et al., on behalf of  
44 themselves and all others similarly situated,

45 Plaintiffs,

46 v.

47 META PLATFORMS, INC.,

48 Defendant.

49 Case No. 3:20-cv-08570-JD

50 **[PROPOSED] ORDER DENYING  
51 MOTION TO EXCLUDE TESTIMONY OF  
52 SCOTT FASSER**

53 Hearing Date: December 14, 2023

54 Hearing Time: 10:00 a.m.

55 Courtroom 11, 19th Floor

56 Judge: The Honorable James Donato

1 Before the Court is the Motion to Exclude Testimony of Scott Fasser and Joshua Gans, filed  
2 by Defendant Meta Platforms, Inc. (the “Motion”) on September 15, 2023. The Court, having  
3 reviewed the Motion and accompanying memoranda, declaration and exhibits in support, any  
4 opposition thereto, and the arguments of counsel and the parties at the hearing held on December 14,  
5 2023 (the “Hearing”), hereby **ORDERS** that the Motion is **DENIED** as follows:

6 The Motion to exclude the testimony of Scott Fasser is **DENIED**.

7 **IT IS SO ORDERED.**

8  
9 DATED: \_\_\_\_\_

10  
11 HONORABLE JAMES DONATO  
12 UNITED STATES DISTRICT JUDGE  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28